

# Exhibit 6



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January 14, 2021

**Via Email**

Aaron Etra  
240 E 47<sup>th</sup> Street, Apt. 12A  
New York, New York 10017  
Email: [aaron@etra.com](mailto:aaron@etra.com)

**Re: Benthos v. Etra, 20 Civ. 03384**

Dear Mr. Etra:

On behalf of the judgment creditor Benthos, which holds a judgment against you in excess of \$5 million, we write with regard to your deficient responses to the Information Subpoena served upon you on August 27, 2020. You were required to respond to that subpoena on September 21, 2020 and you failed to do so. On December 4, 2020, Judge Alison Nathan directed you to “respond . . . to each numbered request in [the] information subpoena by December 18, 2020” (Dkt. 39). You failed to do so. On January 5, 2021, Judge Nathan extended that deadline to January 8, 2021, on which date you provided patently incomplete (and in some instances verifiably false) responses.

Accordingly, please provide supplemental responses, under oath, to each separate follow-up lettered request below, by no later than January 18, 2021. Should you fail to do so, Benthos will seek the appropriate relief from the Court. All numbered requests (for example, “Request No. 1”) identified below refer to the Requests in the Information Subpoena.

- A. You testified (under oath), at your deposition on April 12, 2019, that you then had “a European bank account” at “a bank in Europe” that you declined to further identify. Your previous response to Request No. 1 did not appear to identify that account. With respect to that account and any and all other accounts in Europe, and/or elsewhere outside of the United States, in which you have or had an interest between August 1, 2018 and the date you respond to this inquiry (the “Relevant Time Period”), identify the name and address of the bank, the name, telephone number and e-mail address of your account representative(s) and/or other contact(s) at the bank, and provide an answer to each separate inquiry previously set forth in the first sentence of Request No. 2 (“As to each such account, what is the exact name on the account, the date the account was opened, the account number, the names of the signatories on the account, and the amounts presently on deposit; if closed, what was the amount on deposit when the account closed and the date it was closed?”).



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- B. Provide the full name of the “Uni-credit affiliate” to which you refer in your response to Request No. 1 of the Information Subpoena.
  - C. With regard to the following four banks you identified without further information in your response to Request No. 1 – the “Uni-credit affiliate,” “JP Morgan,” “City National Bank,” and “TD Bank” – identify the addresses of the bank branches with which you dealt and the account number for each account in which you have or had an interest during the Relevant Time Period.
  - D. For each account identified in response to the preceding request, provide an answer to each separate inquiry previously set forth in the first sentence of Request No. 2 (“what is the exact name on the account, the date the account was opened, the account number, the names of the signatories on the account, and the amounts presently on deposit; if closed, what was the amount on deposit when the account closed and the date it was closed?”).
  - E. Have you opened any bank accounts since August 27, 2020? If so, identify the bank(s) and provide an answer to each separate inquiry previously set forth in the first sentence of Request No. 2 (“As to each such account, what is the exact name on the account, the date the account was opened, the account number, the names of the signatories on the account, and the amounts presently on deposit; if closed, what was the amount on deposit when the account closed and the date it was closed?”).
  - F. For every account you have had during the Relevant Time Period at each of the seven banks you identified in your response to Request No. 1, and for any account you identify in response to paragraphs A and E above, were you at all times the only individual with rights to access each account? Were you at all times the sole signatory on each account?
  - G. Other than your credit card at HSBC bearing account number \_\_\_\_\_0169, have you had in your name, or have you used, any other credit cards during the Relevant Time Period? If so, identify the bank that issued the credit card and the account number of each credit card.
  - H. For each credit card identified in response to the preceding request, and also for the HSBC credit card bearing account number \_\_\_\_\_0169, were you at all times the only individual with rights to use each credit card?
  - I. If the HSBC credit card bearing account number \_\_\_\_\_0169 is closed, what is the date on which it was closed and what was the amount of the line of credit when the card closed?
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- J. For each credit card identified in response to paragraph G above, provide an answer to each separate inquiry previously set forth in the first sentence of Request No. 4 (“As to each such credit card, what is the exact name on the card, the date the card was opened, the credit card number, the names of the signatories on the card, and the amounts of the line of credit; if closed, what was the amount of the line of credit when the card closed and the date it was closed?”).
  - K. Identify the method(s) by which you received statements for all of your bank accounts and credit card accounts during the Relevant Time Period (such as by mail or by email).
  - L. For any and all statements you received by mail during the Relevant Time Period, what was and is your practice regarding retaining them, storing them and/or discarding them?
  - M. For any and all statements you received electronically during the Relevant Time Period, at what electronic location were they received, and what was and is your practice regarding retaining them, storing them and/or deleting them? For example, did you download such statements and save them to your computer?
  - N. For any and all statements referred to above that you received by email, did you delete the emails that you received with the statements attached, and if so, on what date(s) did you do so?
  - O. You previously provided only a partial and incomplete response to Request No. 8. For each security you identified in that response, if your ownership is not evidenced by physical certificates, identify any custodian (such as a bank or brokerage firm) holding such securities on your behalf; and if your ownership is evidenced by physical certificates, provide the locations those certificates are held and in whose custody and control they are held.
  - P. Your prior response to Request No. 16 (“Please see 8 above”) is not comprehensible. Please respond in full to Request No. 16, which seeks information about transfers “between You and any entity owned or controlled by You.”
  - Q. With respect to the “monthly living expenses” that you identified in response to Request No. 27, are those categories and figures current for the period between August 27, 2020 and the present? If not, please provide updated categories and figures for that time period.
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- R. With regard to the monthly living expenses you will have identified in response to the preceding paragraph, were those payments made in cash, by bank transfer, by credit card, or by other means? If by cash, from where was the cash obtained, and what was the source of that cash? If by bank transfer, from what account(s) were the funds transferred, and what was the source of those funds? If by credit card, from what credit card(s)? If by other means, identify specifically those other means.
- S. Your prior response to Request No. 31 was false and incomplete. Please respond in full to the inquiry (“all lawsuits ever filed against You, including the court, the index or case number, and the parties involved.”).
- T. With regard to your prior response to Request No. 34, does anyone other than you have any knowledge or information concerning the nature, extent and/or location of any assets you own or control?
- U. Your purported prior response to Request No. 35 did not in fact respond to the inquiries set forth therein (“Set forth the names and addresses of any immediate family members, including any spouse, siblings, adult children or adult grandchildren”). Please provide a complete response.

Finally, you were and are required to respond to the Information Subpoena “under oath.” Please respond, in full, to the inquiries set forth above, and please date and execute the following Declaration at the close of your responses: “I, Aaron Etra, declare under penalty of perjury pursuant to 28 USC Section 1746 that the responses set forth on January 8, 2021, as supplemented by the responses set forth above, are true and correct.

Executed on (date).  
(Signature).”

Very truly yours,

A handwritten signature in black ink, appearing to read "St. R. Popofsky", written over a horizontal line.

Steven R. Popofsky